

**BOROUGH OF WOODCLIFF LAKE
PLANNING BOARD
June 11, 2018
MINUTES**

DRAFT

CALL TO ORDER:

The meeting was called to order at 8:00 p.m. at Borough Hall by Chairman Langschultz.

Adequate Notice Statement:

The Chairman announced this meeting, in accordance with the Open Public Meetings Law, P.L. 1975, Chapter 231, at the Reorganization Meeting on January 24, 2018, in the Municipal Building. Notice of this meeting was posted, in two newspapers, The Record and The Ridgewood News, were notified. The public was advised of the Planning Board's rule that the meetings will be concluded by 11:00 p.m.

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ROLL CALL:

Present:

Councilman Corrado Belgiovine, Class III
Josephine Higgins, Class IV
Cheryl Dispoto, Class IV
Peter Michelis, Class IV
Jane Ann Whitchurch-Carluccio, Vice Chairwoman, Class IV
Brian LaRose, Alternate 2
Robert Friedberg, Class II
David Ciaudelli, Class IV
Mayor Carlos Rendo, Class I
Thomas Panso, Mayor Designee
Nilufer DeScherer, Alternate 1
Joseph Langschultz, Chairman, Class IV

Also Present:

Salvatore J. Princiotta, Board Attorney
Richard Preiss, Planner

Absent:

Peter Michelis
David Ciaudelli

Not Requested:

Evan Jacobs, Engineer

John Pavlovich, Traffic Engineer

Ms. Higgins and Ms. Dispoto arrived after roll call.

Elect Board Chairperson

A motion by Mayor Rendo, seconded by Josephine Higgins to elect Joseph Langschultz as Board Chairperson; on roll call vote, all in favor, the motion carried.

Hearing - Adoption of Housing Plan Element and Fair Share Plan as an amendment to the Master Plan - Formal Hearing.

Richard Preiss, Planner was sworn in by Board Attorney Princiotto. Mr. Preiss will present the proposed Housing Plan Element and Fair Share Plan to the Board and to answer any questions of the Board and public. Mr. Preiss provided an overall outline of the Third Round Housing Element and Fair Share Plan consisting of two parts.

Mr. Preiss referred to pages 17, 18 and 20 of the Plan.

- Page 17 references Affordable Housing Obligations reached between the Borough of Woodcliff Lake and the Fair Share Housing Center.
- Page 18 references Prior Round Compliance Mechanisms that need to be put in place and adopted as an amendment to the Master Plan.
- Page 20 references the proposed affordable housing mechanisms that would address Woodcliff Lake's Third Round RDP i.e. Centennial Court / North Broadway.
- Page 20 /21 references Mechanisms to Address Unmet Need - 2 overlay zones Teva Overlay Zone (Block 402, lot 2) and AHO Overlay Zone Continuance (Block 2303, Lots 6 and 7)
- VFW property (Block 25, Lot 1) if and only when the VFW facility ceases to function a 12-unit affordable rental project for veterans and their families will be permissible on this Borough owned site.
- Mandatory Set-Aside Ordinance - to address unmet need, the Borough will adopt a mandatory set-aside ordinance of at least 15% of all units in rental developments as affordable and 20% of all units in for-sale developments.

Mr. Preiss commented on the Rosengren Settlement.

Ms. Higgins mentioned in the Appendix section where it mentions United Water is should be changed to "SUEZ".

Open Meeting to the Public

A motion by Ms. Higgins, seconded by Councilman Belgiovine to open the meeting to the public for questions of Mr. Preiss; on voice vote all in favor, the motion carried.

Craig Marson, 7 Cricket Lane asked if we are considering anything other than the 3 lots. Mr. Preiss responded right now we are talking about adoption of the Housing Plan. Mr. Marson asked about the 100 unit overlay. Mr. Preiss explained the agreement of the overlay zone and office building.

Ms. Dispoto commented to be clear when we did the Fair Housing Plan, the building was vacant but we contemplated that a tenant or buyer could come in.

Mr. Preiss agreed and explained further.

Ms. Dispoto asked how we came up with the density for the interest of the general public. Mr. Preiss explained how the density was established for senior projects similar to The Seasons at the Montvale / Woodcliff Lake border. Mr. Preiss added but slightly higher.

Board Attorney Princiotto asked if there was anyone with questions of the Planner in regard to his testimony. There were none.

A motion by Councilman Belgiovine, seconded by Ms. Higgins to close the meeting to the public, on voice vote, all in favor the motion carried.

Chairman Langschultz asked if there were comments by Board Members, there were none.

A motion by Councilman Belgiovine, seconded by Ms. Dispoto to open the meeting to the public for comments; on voice vote, all in favor the motion carried.

No public comments

A motion by Councilman Belgiovine, seconded by Ms. DeScherer to close the meeting to the public, on voice vote, all in favor, the motion carried.

Resolution

A motion by Ms. Dispoto, seconded by Ms. DeScherer to adopt a resolution as an amendment to the Master Plan; on roll call vote, all in favor, the motion carried.

Board Attorney Princiotto announced that in the interest of time, he had prepared a resolution for this evening; copies were available for the general public.

Mayor Rendo, Mr. Panso and Ms. DeScherer shared reading of the resolution for the record.

Open Meeting to the Public

A motion by Councilman Belgiovine, seconded by Ms. Higgins to open the meeting to the public pertaining to the resolution; on voice vote, all in favor, the motion carried.

Craig Marson commented that the 2nd and 3rd paragraphs on page 3 are too generic and must be specific. He suggested amending the resolution to be specific to COAH and Affordable Housing only; the paragraphs are vague.

Board Attorney Princiotto responded that the resolution is sufficient; notice was given.

Ms. Dispoto commented that the paragraphs site our Master Plan which is already in place. These are amendments to the Master Plan and are consistent with our existing Master Plan.

Ms. DeScherer made a formal notice comment. Ms. Dispoto suggested a possible inclusion. Board Attorney Princiotto responded that no amendments were necessary and commented on the importance of having the resolution adopted this evening. Notice in the newspaper is sufficient according to law.

A motion by Councilman Belgiovine, seconded by Mr. LaRose to close the meeting to the public; on voice vote, all in favor, the motion carried.

Resolution Granting Approval of Woodcliff Lake's Third Round Housing Element and Fair Share Plan as an amendment to the Master Plan.

A motion by Mayor Rendo, seconded by Councilman Belgiovine to adopt the resolution;

Roll Call:	Councilman Belgiovine	Yes
	Josephine Higgins	Yes
	Cheryl Dispoto	Yes
	Jane Anne Whitchurch-Carluccio	Yes
	Robert Friedberg	Yes
	Mayor Rendo	Yes
	Nilufer DeScherer	Yes
	Brian LaRose	Yes
	Joseph Langschultz	Yes

Letter to Mayor and Council re: Albert Dattoli

Board Attorney Princiotto amended the date of the letter to current June 11, 2018. Ms. Higgins corrected the Avenue name from Highwood to "Highview".

Councilman Belgiovine read the letter for the record.

Second - Mr. Friedberg

All in favor, the motion carried.

Open Meeting to the Public

A motion by Ms. Higgins, seconded by Councilman Belgiovine to open the meeting to the public pertaining to the letter regarding Albert Dattoli; on voice vote, all in favor, the motion carried.

Albert Dattoli, former Board Chairman explained the intention of his February 12th letter to the Mayor and Council. He said at the time of the letter and at the February 12th meeting, the Board had no issues with it. He commented on the letter, stating that at the March meeting he disclosed that he had a conflict of interest as the project he was working on would not come before the Planning Board as this is a Board of Adjustment matter due to the nature of the application. He explained why he resigned as Chairman.

Chairman Landschultz commented that Mr. Dattoli went above board all the time, always cared about the town, lived here a long time and has always been honest.

Joe LaPaglia, former Mayor commented that he is troubled with Mr. Dattoli's resignation. He deserves a lot of credit for 15 years on the Board. It is unfortunate that he is stepping down.

Craig Marson appreciates Mr. Dattoli's position. The problem he has is when he reads the Fair Share obligation and specifics talking about the creation of multi-family zones is that there is a lot of burden being placed on a small area that is difficult to build on.

Albert Dattoli commented that he lives on the border of the commercial zone; this is a matter that will go before the Board of Adjustment and his letter of February 12 had no influence.

A motion by Ms. Higgins, seconded by Councilman Belgiovine to close the meeting to the public; on voice vote, all in favor the motion carried.

A motion made previously by Councilman Belgiovine, seconded previously by Mr. Friedberg to approve distribution of the letter dated June 11, 2018 to the Mayor and Council as amended and, as previously read for the record;

Roll Call:	Councilman Belgiovine	Yes
	Josephine Higgins	Yes
	Cheryl Dispoto	Abstain
	Jane Anne Whitchurch-Carluccio	Yes
	Robert Friedberg	Yes
	Mayor Rendo	Yes
	Nilufer DeScherer	Yes
	Brian LaRose	Abstain
	Joseph Langschultz	Yes

Presentation - Area in Need of Redevelopment

Mr. Preiss advised that the presentation is to solicit feedback on an area in need of redevelopment investigation; conclusions and findings are in the study.

Mr. Preiss recommended if the designation goes forward and Mayor and Council agree we would reach an agreement with the developer as to what gets built. Mayor Rendo asked about timing. Mr. Preiss replied that as long as we are making progress extensions would be approved. We would need extensions for this step and he feels the court will grant it.

Ms. Dispoto asked if the Board has discretion to go back to the Mayor and Council; we should be looking at 1,3, and 9 lot 14. Mr. Preiss responded yes we have discretion.

Ms. DeScherer asked about the process and the public's opportunity to speak. Mr. Preiss explained that the document would be completed, presented to the Borough Clerk, noticed at least 10 days' prior then the Planning Board votes, it is sent to the Mayor and Council for designation. Ms. DeScherer asked about timing. Mr. Preiss said we would take feedback tonight; the next draft would be done in a week or 2.

Ms. Higgins made some corrections to the handout; "SUEZ" not United Water, "Highview" Avenue not Highland and on page 8 it is Block "2602" not 2601. Ms. Higgins asked about slope. Mr. Preiss stated that when the development is complete, the DEP has requirements and regulations.

Mr. Preiss referred to page 13 Statutory Criteria commenting that the property qualifies and meets all criteria. Three properties do qualify for redevelopment.

Councilman Belgiovine asked if currently there are curb cuts on the lots. Mr. Preiss responded yes. A portion of the 3 lots has frontage on Broadway. Councilman Belgiovine asked what the frontage was. Mr. Preiss replied in excess of 200 ft.

Councilman Belgiovine commented on this being a draft and asked what follows.

Mr. Preiss responded that there would be a public hearing on July 9th. He requires amendments by next Wednesday. Mr. Princiotto reviewed publication deadlines in order to meet a July 9th meeting. He needs permission of the Board to notice; there were no objections by the Board.

Ms. Dispoto thanked Mr. Preiss for his presentation. She was on the Fair Share Housing Committee along with the Mayor and some Council members and everyone was in agreement that we would expedite a Fair Share Housing Plan and designate the 3 COAH properties. She is supportive of the 3 Fair Share Housing lots; selected adding that Lot 14 is controversial. We need to get it accomplished; it is important and long overdue; we had a plan in place one year ago. The importance of designating the 3 COAH properties from the towns perspective, is so that we do not have to take the lowest bid contract.

Mr. LaRose commented that block 2501 lot 14 has a 300 ft. buffer and asked how does it affect what can be built. Mr. Preiss responded that according to DEP regulations, as long as you stay within the footprint of the area that is paved.

Mayor Rendo stated that the Council did meet on the barn property and all agreed that it be included in the study of an area in need of redevelopment.

Open Meeting to the Public

A motion by Mr. Friedberg, seconded by Councilman Belgiovine to open the meeting to the public for questions on procedure; on voice vote all in favor, the motion carried.

Hasmig Yetemian, 5 Edward Place, time wise, when do we get to input. Mr. Priess responded that there will be a draft of the plan and an opportunity to review, ask questions and make comments before the redevelopment plan gets adopted. There will be two public hearings; one on the recommendation and one on the designation.

Alex Couto, you mentioned that you want to select a developer first. Mr. Priess explained that the public will be allowed to comment.

Cyntha Bernstein commented on the maps and where the setbacks occur. She would like to see a real clear map. Mr. Preiss stated that there is a better, color version. Ms. Bernstein asked if the map will show where the 300 ft. setback goes to and where the slopes are. Mr. Preiss responded yes.

Craig Marson - Highview hill is dangerous; the barn property intersection is difficult. He suggests to bifurcate this.

Joe LaPaglia states that it is important to get 3 COAH lots approved. He has no issues with the planner looking at the barn property but should be a separate report.

Veronica Appelle commented on quality of life issues for people who live in the area; restaurants /parking, COAH 60 units; traffic/pollution; school locations, noise, lights. Try to cross the railroad tracks, try to make a left on Broadway. The three uses of COAH are important.

A motion by Councilman Belgiovine, seconded by Ms. Carluccio to close the meeting to the public, on voice vote, all in favor, the motion carried.

MINUTES May 14, 2018

There are amendments to be made to the minutes of May 14, 2018. The Minutes of May 14, 2018 were tabled.

Open Meeting to the Public

A motion by Councilman Belgiovine, seconded by Mr. La Rose to open the meeting to the public for public session; on voice vote all in favor, the motion carried.

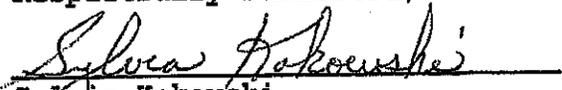
Albert Dattoli advised that when the Mayor is present and his designee as is the case this evening, only one is eligible to vote. He also mentioned that alternates do not vote when the full Board is present.

A motion by Councilman Belgiovine, seconded by Ms. Dispoto to close the meeting to the public, on voice vote, all in favor the motion carried.

ADJOURNMENT

The meeting was adjourned at approximately 10:30 p.m. on motion made by Councilman Belgiovine, seconded by Ms. Carluccio, on voice vote, all in favor the motion carried.

Respectfully Submitted,


Sylvia Kokowski
Acting Planning Board Secretary